

# **Exhibit 36**

STEWART DETENTION CENTER  
19-100

PAGE 1 OF 6

POLICY

CHAPTER 19: RESIDENT WORK PROGRAM  
 SUBJECT: DETAINEE VOLUNTARY WORK PROGRAM  
 SUPERSEDES: NOVEMBER 18, 2013  
 EFFECTIVE DATE: AUGUST 16, 2017

APPROVED: SIGNATURE ON FILE  
 BILL SPIVEY  
 FACILITY ADMINISTRATOR

**19-100.1 POLICY:**

It is the policy of this facility to provide a detainee work assignment plan that provides for detainee labor, subject to the number of work opportunities available, and within the constraints of the safety, security and good order of the facility. **(4-ALDF-5C-06)** Detainee working conditions comply with all applicable federal, state, or local work safety laws and regulations. **(4-ALDF-5C-11)**

**19-100.2 AUTHORITY:**

Facility Policy

**19-100.3 DEFINITIONS:**

None

**19-100.4 PROCEDURES:****PROCEDURES INDEX**

SECTION	SUBJECT
A	Voluntary Work Program
B	Work Outside the Secure Perimeter
C	Personal Housekeeping Required
D	Detainee Selection
E	Special Details
F	Discrimination in Hiring Prohibited
G	Physically and Mentally Challenged Detainees
H	Hours of Work
I	Number of Details in One Day
J	Establishing Detainee Classification Level
K	Compensation
L	Removal of Detainee From Work Detail
M	Detainee Responsibility
N	Detainee Training and Safety
O	Detainee Injury and Reporting Procedures

**A. VOLUNTARY WORK PROGRAM**

1. Detainees shall be provided the opportunity to participate in a voluntary work program.
2. There are a variety of work assignments that afford detainees an opportunity to develop good work habits and attitudes. **(4-ALDF-5C-06)**

- a. Approved work assignments are identified in the 18-100CC Work and Program Plan Guidelines.
  - 3. The detainee's classification level shall determine the type of work assignment for which he/she is eligible.
    - a. Generally, high custody detainees shall not be given work opportunities outside their housing units/living areas.
  - 4. Detainee performance is regularly evaluated and recorded.
    - a. Detainees receive written recognition of competencies that they acquire. **(4-ALDF-5C-10)**
  - 5. Non-dedicated IGSA's will have the discretion on whether or not they will allow detainees to participate in the voluntary work program.
- B. WORK OUTSIDE THE SECURE PERIMETER
  - 1. ICE detainees may not work outside the secure perimeter of non-dedicated IGSA facilities.
  - 2. Low custody detainees may work outside the secure perimeter on facility grounds.
    - a. They must be directly supervised at a ratio of no less than one staff member to four detainees.
    - b. The detainee shall be in sight and sound of that staff member at all times.
- C. PERSONAL HOUSEKEEPING REQUIRED
 

Work assignments are voluntary; however, all detainees are responsible for personal housekeeping.

  - 1. Detainees are required to maintain their immediate living areas in a neat and orderly manner by:
    - a. Making their beds daily;
    - b. Stacking loose papers;
    - c. Keeping the floor free of debris and dividers free of clutter; and
    - d. Refraining from hanging/draping clothing, pictures, keepsakes, or other objects from beds, overhead lighting fixtures, or other furniture.
- D. DETAINEE SELECTION
  - 1. Selection of work detail volunteers shall be in accordance with policy 18-100 Classification, Housing, Work and Program Plans.
  - 2. The primary factors in hiring a detainee as a worker shall be his/her classification level and the specific requirements of the job.
    - a. Staff shall present the detainee's name to the Shift Supervisor or the requesting department head.
    - b. The Shift supervisor or department head shall review the detainee's classification and other relevant documents in the detainee's detention file.

- c. The Shift Supervisor or department head shall assess the detainee's language skills because these skills affect the detainee's ability to perform the specific requirements of the job under supervision.
  - i. To the extent possible, work opportunities shall be provided to detainees who are able to communicate with supervising staff effectively and in a manner that does not compromise safety and security.
- d. Inquiries to staff about the detainee's attitude and behavior may be used as a factor in the supervisor's selection.
- 3. Staff shall explain the rules and regulations as well as privileges relating to the detainee worker's status.

**E. SPECIAL DETAILS**

Detainees may volunteer for temporary work details that occasionally arise. The work, which generally lasts from several hours to several days, may involve labor-intensive work.

**F. DISCRIMINATION IN HIRING PROHIBITED**

There is no discrimination regarding administrative decisions or program access. Detainees shall not be denied voluntary work or program access opportunities on the basis of such factors as a detainee's race, religion, national origin, gender, sexual orientation or disability. **(4-ALDF06B-02)**

**G. PHYSICALLY AND MENTALLY CHALLENGED DETAINEES**

The facility shall allow, where possible, detainees with disabilities to participate in the voluntary work program in appropriate work assignments. **(4-ALDF-5C-06)**

Consistent with the procedures outlined in ICE PBNDS 4.8 "Disability Identification, Assessment, and Accommodation," the facility shall provide reasonable accommodations and modifications to its policies, practices, and/or procedures to ensure that detainees with disabilities have an equal opportunity to access, participate in, and benefit from the voluntary work programs.

**H. HOURS OF WORK**

- 1. Detainees who participate in the volunteer work program are required to work according to a schedule.
- 2. The detainee work day will approximate the workday in the community. **(4-ALDF-5C-10)**
  - a. The normal scheduled workday for a detainee employed full time is a maximum of eight (8) hours. Detainees shall not be permitted to work in excess of eight (8) hours daily, forty (40) hours weekly.
- 3. Unexcused absences from work or unsatisfactory work performance may result in removal from the voluntary work program.

**I. NUMBER OF DETAILS IN ONE DAY**

- 1. The Facility Administrator may restrict the number of work details permitted a detainee during one day.
- 2. In SPCs, CDFs, and dedicated IGSAs a detainee may participate in only one work detail per day.

**J. ESTABLISHING DETAINEE CLASSIFICATION LEVEL**

If the facility cannot establish the classification level in which the detainee belongs, the detainee shall be ineligible for the voluntary work program.

K. COMPENSATION

Detainees will be compensated at least one dollar (\$1.00) per day. **(4-ALDF-5C-12)**

L. REMOVAL OF DETAINEE FROM WORK DETAIL

A detainee may be removed from a work detail for such causes as:

- a. Unsatisfactory performance;
  - b. Disruptive behavior, threats to security, etc.;
  - c. Physical inability to perform the essential elements of the job due to a medical condition or lack of strength;
  - d. Prevention of injuries to the detainee; and/or
  - e. A removal sanction imposed by the Institutional Disciplinary Panel for an infraction of a facility rule, regulation or policy.
2. When a detainee is removed from a work detail, the Facility Administrator shall place written documentation of the circumstances and reasons in the detainee detention file.
  3. Detainees may file a grievance to the local Field Office Director or Facility Administrator if they believe they were unfairly removed from work, in accordance with ICE PBNDS 6.2 Grievance System and CoreCivic policy 14-5 Inmate/Resident Grievance Procedures.

M. DETAINEE RESPONSIBILITY

1. Detainees will be provided information about on-the-job responsibilities and reporting procedures.
2. The detainee is expected to be ready to report for work at the required time and may not leave an assignment without permission.
  - a. The detainee shall perform all assigned tasks diligently and conscientiously.
  - b. The detainee may not evade attendance and performance standards in assigned activities nor encourage others to do so.
  - c. The detainee shall exercise care in performing assigned work, using safety equipment and taking other precautions in accordance with the work supervisor's instructions.
  - d. In the event of a work-related injury, the detainee shall notify the work supervisor, who shall immediately implement injury-response procedures.
3. Detainees wishing to change their programming are to notify unit staff or a Shift Supervisor.

N. DETAINEE TRAINING AND SAFETY

1. A detainee shall not undertake any assignment before signing a 19-100B Detainee Voluntary Work Program Agreement that, among other things, confirms that the detainee has received and understood training from the supervisor about the work assignment.

**STEWART DETENTION CENTER  
19-100****PAGE 5 OF 6****POLICY**

- a. The voluntary work program agreement shall be placed in the detainee's detention file.
  2. All department heads, in collaboration with the facility's safety/training officer, will develop and institute appropriate training for all detainee workers.
  3. The voluntary work program shall operate in compliance with the following codes and regulations:
    - a. Occupational Safety and Health Administration (OSHA) regulations;
    - b. National Fire Protection Association 101 Life Safety Code; and
    - c. International Council Codes (ICC).
  4. The facility Fire Safety Manager is responsible for providing access to complete and current versions of the documents listed above.
  5. Upon a detainee's assignment to a job or detail, the supervisor shall provide thorough instructions regarding safe work methods and, if relevant, hazardous materials, including:
    - a. Safety features and practices demonstrated by the supervisor; and
    - b. Recognition of hazards in the workplace, including the purpose for protective devices and clothing provided, reporting deficiencies to their supervisors (staff and detainees who do not read nor understand English shall not be authorized to work with hazardous materials).
  6. For a food service assignment, medical staff, in conjunction with the U.S. Public Health Service, shall ensure that detainees are medically screened and certified before undertaking the assignment.
  7. The facility shall provide detainees with safety equipment that meets OSHA and other standards associated with the task performed.
- O. DETAINEE INJURY AND REPORTING PROCEDURES**
1. ICE/ERO will be immediately notified I the event of an on-the-job detainee injury.
  2. If a detainee is injured while performing his/her work assignment:
    - a. The work supervisor shall immediately notify facility medical staff.
      - i. In the event the accident occurs in a facility that does not provide twenty-four (24) hour medical care, the supervisor shall contact the on-call medical officer for instructions.
  3. First aid shall be administered as necessary.
  4. Medical staff shall determine what treatment is necessary and where that treatment shall take place.
  5. The work supervisor shall complete a detainee accident report and submit it to the Facility Administrator for review and processing and file it in the detainee's detention file and A-file.

**19-100.5****REVIEW:**

This policy will be reviewed annually by the Chief of Security who will recommend necessary changes to the Facility Administrator.

**19-100.6****APPLICABILITY:**

All Facility Employees

**19-100.7 APPENDICES:**

18-100CC Work and Program Plan Guidelines

**19-100.7 ATTACHMENTS:**

19-100A Detainee Volunteer Criteria Checklist

19-100B Detainee Voluntary Work Program Agreement (English/Spanish)

19-100C Detainee Safety Rules (English/Spanish)

**19-100.9 REFERENCES:**

CoreCivic Policy 8-5 Control of Hazardous Chemicals/Materials

ACA Standards. The ACA Standards for this facility are:

4-ALDF- 5C-06, 5C-08, 5C-10, 5C-11, 5C-12, and 6B-02

ICE 2011 Performance-Based National Detention Standards (with 2013 Errata and 2016 Revisions)

- 4.8 Disability Identification, Assessment, and Accommodation
- 5.8 Voluntary Work Program